

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In Re:	§	Case No. 23-90147 (DRJ)
	§	
Mountain Express Oil Company, et al.	§	Jointly Administered
	§	
Debtors.	§	Chapter 7 (previously Chapter 11)

**CHAPTER 7 TRUSTEE’S PRELIMINARY OBJECTION TO ENTRY OF ORDER
GRANTING MOTION OF FORMER COUNSEL FOR THE DEBTORS FOR ENTRY OF
AN ORDER AUTHORIZING THE PAYMENT OF ESTATE PROFESSIONALS’ FEES
PURSUANT TO FINAL DIP ORDER AND PROFESSIONAL FEE ORDER
AND REQUEST FOR ABATEMENT
[Related to Docket No. 1519]**

**TO THE HONORABLE DAVID R. JONES, UNITED STATES BANKRUPTCY
JUDGE:**

COMES NOW, Janet S. Northrup, the Chapter 7 Trustee (the “Trustee”) of the jointly administered bankruptcy estates of Mountain Express Oil Company and affiliated debtors (collectively the “Debtors”), Debtors in the above-styled jointly administered Chapter 7 cases, and files this *Preliminary Objection to Entry of Order Granting Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final Dip Order and Professional Fee Order and Request for Abatement* (the “Objection”). In support of the Objection, the Trustee would respectfully submit as follows:

1. The Trustee objects to entry of an order granting the *Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final Dip Order and Professional Fee Order* at this time. Per the Court’s *Order (I) Converting Chapter 11 Cases, (II) Rejecting Leases, (III) Terminating Certain Agreements, and (IV) Granting Related Relief* entered at Docket No. 1397 (the “Conversion Order”), “any fee reserves held by the professionals shall remain in the *status quo*, subject of a future order.” *Conversion Order*, para.

10. The Trustee requests that rulings on all pending or future fee applications and orders be abated until the Trustee has adequate time to investigate objections to such requested fees and expenses.

2. The Trustee anticipates that she will request the following in these cases: (1) a bar date for all chapter 11 professional fee applications; (2) to employ a fee consultant to assist with investigation of and provide a recommendation regarding chapter 11 professional fee applications; and (3) upon completion of the investigation, a status conference to set a scheduling order to address the Trustee's anticipated further and more substantive objections to chapter 11 professional fee applications. Accordingly, the Trustee requests this Court abate any decision on the *Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals' Fees Pursuant to Final Dip Order and Professional Fee Order* until the Trustee conducts her investigation.

NOTICE

3. Notice of this Objection will be provided through the Court's ECF system. Given the nature of the relief requested, the Trustee urges that no other notice need be given.

Dated: October 10, 2023.

Respectfully submitted,

/s/ Heather Heath McIntyre

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ATTORNEYS FOR

JANET S. NORTHRUP, CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on parties receiving ECF notice via ECF in the above-referenced case on this 10th day of October 2023.

/s/ Heather Heath McIntyre

Heather Heath McIntyre